

109TH CONGRESS
1ST SESSION

S. 967

To amend the Communications Act of 1934 to ensure that prepackaged news stories contain announcements that inform viewers that the information within was provided by the United States Government, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 28, 2005

Mr. LAUTENBERG (for himself, Mr. KERRY, Mrs. CLINTON, Mr. KENNEDY, Mr. DORGAN, Mrs. BOXER, and Mr. DAYTON) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend the Communications Act of 1934 to ensure that prepackaged news stories contain announcements that inform viewers that the information within was provided by the United States Government, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Truth in Broadcasting
5 Act of 2005”.

1 **SEC. 2. TRUTH IN BROADCASTING OF PREPACKAGED NEWS**
 2 **STORIES.**

3 Part I of title III of the Communications Act of 1934
 4 (47 U.S.C. 301 et seq.) is amended by adding at the end
 5 the following:

6 **“SEC. 342. ANNOUNCEMENT OF FEDERAL AGENCY SPON-**
 7 **SORSHIP OF PREPACKAGED NEWS STORY.**

8 “(a) **DISCLAIMER REQUIRED.**—Any prepackaged
 9 news story produced by or on behalf of a Federal agency
 10 that is broadcast or distributed by a network organization,
 11 broadcast licensee or permittee, or multichannel video pro-
 12 gramming distributor in the United States shall contain
 13 an announcement supplied by the Federal agency within
 14 the prepackaged news story that conspicuously identifies
 15 the United States Government as the source for the pre-
 16 packaged news story.

17 “(b) **PRESENTATION.**—The announcement required
 18 under subsection (a) shall be broadcast or distributed so
 19 as—

20 “(1) to promote consistency with the announce-
 21 ment requirements required under sections 317 and
 22 507;

23 “(2) in the case of television and other video
 24 programming—

25 “(A) to be visible for the entire duration of
 26 the prepackaged news story; and

1 “(B) to include the conspicuous display of
2 the statement ‘PRODUCED BY THE U.S.
3 GOVERNMENT’; and

4 “(3) in the case of radio and other audio pro-
5 gramming, to audibly inform the audience of the
6 source of the prepackaged news story.

7 “(c) REMOVAL OF DISCLAIMER PROHIBITED.—It is
8 unlawful for any person to remove an announcement re-
9 quired by this section.

10 “(d) FCC TO DETERMINE NATURE OF DIS-
11 CLAIMERS.—The Commission shall determine the exact
12 design, presentation, and additional language, if any, re-
13 quired for the announcements described in subsection (a).

14 “(e) DEFINITIONS.—In this section:

15 “(1) AGENCY.—The term ‘agency’ has the same
16 meaning given such term in section 551 of title 5,
17 United States Code, and includes the Executive Of-
18 fice of the President.

19 “(2) MULTICHANNEL VIDEO PROGRAMMING
20 DISTRIBUTOR.—The term ‘multichannel video pro-
21 gramming distributor’ has the meaning given that
22 term in section 602.

23 “(3) NETWORK ORGANIZATION.—

1 “(A) IN GENERAL.—The Commission shall
2 define the term ‘network organization’ for pur-
3 poses of this section.

4 “(B) INCLUSION.—In defining ‘network or-
5 ganization’, the Commission shall include all en-
6 tities that may provide a prepackaged news
7 story to a broadcast licensee.

8 “(4) PREPACKAGED NEWS STORY.—The term
9 ‘prepackaged news story’ means a complete, ready-
10 to-use audio or video news segment designed to be
11 indistinguishable from a news segment produced by
12 an independent news organization.”.

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